UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/754,650	01/03/2001	Eric E. Del Sesto	19502-04558	2979

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EXAMINER
LAMBRECHT, CHRISTOPHER M

ART UNIT	PAPER NUMBER
2611	

DATE MAILED: 08/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
Office Action Summary		09/754,650	DEL SESTO ET AL.
		Examiner	**Art Unit**
		Christopher M. Lambrecht	2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) *1-27* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *8/9/2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date *7/15/04, 9/3/02, 6/17/02, 8/20/01.*

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Objections

1.   Claim 4 is objected to because of the following informalities: On line 2 of claim 4, the word "codes" should be deleted. Appropriate correction is required.

2.   Claim 16 is objected to because of the following informalities: In line 1 of claim 16, "14" should be changed to "15". Appropriate correction is required.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claim 1-5, 7-14, 17, 19-22, 24, 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Zdepski (Zdepski et al., US006006256A).

Considering claim 1, Zdepski discloses a system for providing interactive content (fig. 1, col. 3, ll. 49-51) comprising: an interactive content code detector (trigger extraction unit 56), coupled to a video stream (combined signal from demodulator 54) to be transmitted (via satellite uplink 62) to local subsystems (such as satellites, local headends, distribution nodes, etc, encountered prior to the video stream being delivered to end users, col. 4, ll. 34-37), for detecting (extracting, col. 4, ll. 19-21, where extracting inherently involves detecting) an interactive content code (trigger, col. 4, ll. 51-58) and transmitting (providing to interactive program source 58) a control signal (the extracted trigger) responsive to detecting (extracting) an interactive content code (trigger) (col. 4, ll. 19-24); and a data

insertion unit (interactive program source 58, data input unit 66, and AVI transmission unit 68), coupled to the interactive content code detector (56), for receiving (from 56, col. 4, ll. 21-22) the control signal (extracted trigger) and inserting (providing to AVI transmission unit 68 for combining with television signal, col. 4, ll. 28-38) interactive content (interactive program) into the video stream (television signal) responsive to (in accordance with, col. 4, ll. 29-30) information (fields 82, 84, and 86 of trigger, fig. 2) contained in the control signal (extracted trigger).

As for claim 2, Zdepski discloses the system of claim 1 (see above) wherein the data insertion unit (58, 66, and 68) is positioned to insert interactive content into the video stream immediately prior to the video stream (AVI signal) being transmitted to a transmission source (satellite uplink 62) to ensure that the interactive content remains in the video stream upon transmission (i.e., interactive content is inserted into the video stream at 68, and is then transmitted to satellite uplink 62, with no intervening equipment in signal path between AVI transmission unit 68 and satellite uplink 62, see fig. 1).

As for claim 3, Zdepski discloses the system of claim 1 wherein a video stream generator (television signal source 12) generates the video stream (television signal) and the interactive content detector (56) is coupled (via demodulator 54, satellite links 52 and 20, modulator 18, and trigger insertion unit 16) to the output of the video stream generator.

As for claim 4, Zdepski discloses the system of claim 1 wherein interactive content codes (triggers) are placed in a stream (vertical blanking interval, col. 5, ll. 1-5) alternate to the stream used to carry interactive (interactive program packet stream, col. 6, ll. 23-26).

As for claim 5, Zdepski discloses the system of claim 1 in which the interactive content code detector (56) and the data insertion unit (58, 66, and 68) are coupled to a same point (broadcast station 50) in the transmission path (i.e., path from source 12 to end users).

As for claim 7, Zdepski discloses the system of claim 1, wherein the interactive content code detector (56) is a vertical blanking interval reader (col. 5, ll. 24-26).

With regard to claim 8, Zdepski discloses a method for providing interactive content (col. 3, ll. 49-51) in a broadcast facility (50, fig. 1) that transmits a video broadcast stream (AVI signal) containing video for delivery along a transmission path for delivery to end users (col. 4, ll. 34-38) and contains equipment (A-V compression unit 64) that may corrupt interactive content (according to page 6, ll. 3-6 of the specification of the instant application, such equipment includes video compression hardware), comprising: inserting (by trigger insertion unit 16) an interactive content code (trigger, col. 4, ll. 51-58) into a video broadcast stream (television signal, col. 4, ll. 7-10), wherein the interactive content code specifies an interactive content to accompany a video broadcast in the video broadcast stream (col. 4, ll. 47-51); reading the interactive content code (loading or playing interactive content associated with the trigger, col. 4, ll. 21-25, inherently involves reading the interactive content code); inserting an interactive content corresponding to (associated with, col. 4, ll. 47-50) the interactive content code (trigger) into the video stream (combining the interactive program content with the compressed audio/video content, col. 4, ll. 33-38).

As for claim 9, Zdepski discloses the method of claim 8 (see above) wherein inserting an interactive content further comprises inserting an interactive content corresponding to the interactive content code (col. 4, ll. 47-51) at a point in the transmission path after a last point in the transmission path

where the interactive content may be corrupted (see fig. 1, the interactive content is inserted into the video stream at AVI transmission unit 68, after (i.e., to the right of) A-V compression unit 64, where A-V compression unit 64 is the last point in the transmission path where the interactive content may be corrupted).

As for claim 10, Zdepski discloses the method of claim 8 wherein reading an interactive content code occurs at a point in the transmission path prior to an interactive content being corrupted (see fig. 1, the interactive content code is read by trigger extraction unit 56, which is at a point in the transmission path prior to (i.e., to the left of) A-V compression unit 64, and hence the reading of the interactive content code occurs prior to the interactive content being corrupted, i.e., at A-V compression unit 64).

As for claim 11, Zdepski discloses the method of claim 8 wherein the interactive content code (trigger) is inserted into a region (i.e., the vertical blanking interval, col. 5, ll. 1-5) of the video stream that is preserved by the broadcast facility (where trigger extraction unit 56 extracts information in the VBI for use prior to potentially corrupting equipment such as compression unit 56, hence the VBI is a region that is preserved by the broadcasting facility).

As for claim 12, Zdepski discloses the method of claim 8 wherein the interactive content is inserted (at 68) into the video stream at the same point (broadcast station 50) in the transmission path (i.e., path from source 12 to end users) at which the interactive content code is read (at 56).

As for claim 13, Zdepski discloses the method of claim 12 (see above) wherein the interactive content code is read at a point (at 56) in the transmission path after (i.e., to the right of) which broadcast

facility equipment (A-V compression unit 64) that may corrupt an interactive content is coupled to the transmission path.

With regard to claim 14, Zdepski discloses a method for providing interactive content (col. 3, ll. 49-51) in a broadcast facility (50, fig. 1) that transmits a video broadcast stream (AVI signal) containing video for delivery along a transmission path for delivery to end users (col. 4, ll. 34-38) and contains equipment (A-V compression unit 64) that may corrupt interactive content (according to page 6, ll. 3-6 of the specification of the instant application, such equipment includes video compression hardware), comprising: inserting (by trigger insertion unit 16) an interactive content code (trigger, col. 4, ll. 51-58) into a video broadcast stream (television signal, col. 4, ll. 7-10), wherein the interactive content code specifies an interactive content to accompany a video broadcast in the video broadcast stream (col. 4, ll. 47-51), and wherein the interactive content code is inserted into a region (i.e., the vertical blanking interval, col. 5, ll. 1-5) of the video stream that is preserved by the broadcast facility (where trigger extraction unit 56 extracts information in the VBI for use prior to potentially corrupting equipment such as compression unit 56, hence the VBI is a region that is preserved by the broadcasting facility); reading the interactive content code (loading or playing interactive content associated with the trigger, col. 4, ll. 21-25, inherently involves reading the interactive content code); and inserting an interactive content corresponding to (associated with, col. 4, ll. 47-50) the interactive content codes into the video stream (combining the interactive program content with the compressed audio/video content, col. 4, ll. 33-38) at a point in the transmission path after a last point in the transmission path where the interactive content may be corrupted (see fig. 1, the interactive content is inserted into the video stream at AVI transmission unit 68, after (i.e., to the right of) A-V compression unit 64, where A-V compression unit 64 is the last point in the transmission path where the interactive content may be corrupted).

With regard to claim 17, Zdepski discloses a method for providing interactive content (col. 3, ll. 49-51) in a broadcast facility (50, fig. 1) that transmits a video broadcast stream (AVI signal) containing video for delivery along a transmission path for delivery to end users (col. 4, ll. 34-38) and contains equipment (A-V compression unit 64) that may corrupt interactive content (according to page 6, ll. 3-6 of the specification of the instant application, such equipment includes video compression hardware), comprising: inserting a reference (trigger, col. 4, ll. 51-58) to an interactive content into a region (i.e., the vertical blanking interval, col. 5, ll. 1-5) of the video stream that is preserved by the broadcast facility (where trigger extraction unit 56 extracts information in the VBI for use prior to potentially corrupting equipment such as compression unit 56, hence the VBI is a region that is preserved by the broadcasting facility).

With regard to claim 19, Zdepski discloses a system for providing interactive content (fig. 1, col. 3, ll. 49-51) comprising: an interactive content code detector (trigger extraction unit 56), coupled to a video stream (combined signal from demodulator 54) to be transmitted (via satellite uplink 62) to local subsystems (such as satellites, local headends, distribution nodes, etc, encountered prior to the video stream being delivered to end users, col. 4, ll. 34-37), for detecting (col. 4, ll. 19-21, where extracting inherently involves detecting) an interactive content code (trigger, col. 4, ll. 51-58) and transmitting (providing to interactive program source 58) a control signal (the extracted trigger) responsive to detecting (extracting) an interactive content code (trigger) (col. 4, ll. 19-24); and a data insertion unit (interactive program source 58, data input unit 66, and AVI transmission unit 68), coupled to the interactive content code detector (56), for receiving (from 56, col. 4, ll. 21-22) the control signal (extracted trigger) and inserting (providing to AVI transmission unit 68 for combining with television signal, col. 4, ll. 28-38) interactive content (interactive program) into the video stream (television signal) responsive to (in accordance with, col. 4, ll. 29-30) information (fields 82, 84, and 86 of trigger, fig. 2)

contained in the control signal (extracted trigger), wherein the data insertion unit (58, 66, and 68) is positioned to insert interactive content into the video stream immediately prior (i.e., no intervening equipment in signal path between AVI transmission unit 68 and satellite uplink 62, see fig. 1) to the video stream (AVI signal) being transmitted to a transmission source (satellite uplink 62) to ensure that the interactive content remains in the video stream upon transmission.

With regard to claim 20, Zdepski discloses a system for providing interactive content (fig. 1, col. 3, ll. 49-51) comprising: an interactive content detection unit (trigger extraction unit 56), coupled to a video stream (combined signal from demodulator 54) received (via satellite receiver 52) from a broadcast facility (of remote network 10), for detecting (col. 4, ll. 19-21, where extracting inherently involves detecting) an interactive content code (trigger, col. 4, ll. 51-58) and transmitting (providing to interactive program source 58) a control signal (the extracted trigger) responsive to detecting (extracting) an interactive content code (trigger) (col. 4, ll. 19-24); and a data insertion unit (interactive program source 58, data input unit 66, and AVI transmission unit 68), coupled to the interactive content code detector (56), for receiving (from 56, col. 4, ll. 21-22) the control signal (extracted trigger) and inserting (providing to AVI transmission unit 68 for combining with television signal, col. 4, ll. 28-38) interactive content (interactive program) into the video stream (television signal) responsive to information (fields 82, 84, and 86 of trigger, fig. 2) contained in the control signal (extracted trigger).

As for claim 21, Zdepski discloses the system of claim 20 (see above) wherein the data insertion unit (58, 66, and 68) is positioned to insert interactive content into the video stream immediately prior (i.e., no intervening equipment in signal path between AVI transmission unit 68 and satellite uplink 62, see fig. 1) to the video stream (AVI signal) being transmitted to customer premise equipment (end users,

via satellite uplink 62, col. 4, ll. 36-38) to ensure that the interactive content remains in the video stream upon transmission.

As for claim 22, Zdepski discloses the system of claim 20 in which the interactive content code detector (56) and the data insertion unit (58, 66, and 68) are coupled to a same point (broadcast station 50) in the transmission path (i.e., source 12 to end users).

As for claim 24, Zdepski discloses the system of claim 20, wherein the interactive content code detector (56) is a vertical blanking interval reader (col. 5, ll. 24-26).

With regard to claim 27, Zdepski discloses a method of ensuring reliable delivery of interactive content (col. 3, ll. 49-51) in which a video component of a broadcast signal (television signal, fig. 1) is used to convey interactive content, comprising the steps of: inserting an interactive content code (trigger, col. 4, ll. 51-58) into a component (vertical blanking interval, col. 5, ll. 1-5) of the broadcast signal alternate to the component used to convey interactive content (interactive program information packets of AVI signal, col. 6, ll. 22-25); detecting (col. 4, ll. 19-21, where extracting inherently involves detecting) the interactive content code (trigger) in the broadcast signal (television signal); and inserting interactive content corresponding to (associated with, col. 4, ll. 47-50) the interactive content code into the broadcast signal (col. 6, ll. 14-15).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 6, 15, 18, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zdepski in view of Blackketter (Blackketter et al., US006415438B1).

With regard to claim 6, Zdepski discloses the system of claim 5 (see above). However, Zdepski fails to disclose the interactive content corresponds to a universal resource locator.

In an analogous art, Blackketter discloses inserting interactive content corresponding to a uniform resource locator (uniform resource identifier, col. 8, ll. 5-15 and col. 1, ll. 18-26), for the purpose of enabling the retrieval of Internet content such that the viewing experience may be enhanced (col. 8, ll. 5-15 and col. 1, ll. 26-30).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Zdepski to include disclose the interactive content corresponds to a universal resource locator, as taught by Blackketter, for the purpose of enabling the retrieval of Internet content such that the viewing experience may be enhanced in a system for providing interactive television content.

With regard to claim 15, Zdepski discloses the method of claim 14. However, Zdepski fails to disclose inserting a plurality of interactive content codes in different regions of the video broadcast signal.

In an analogous art, Blackketter discloses inserting a plurality of interactive codes (first trigger and second trigger) inserted into different regions of data (i.e., a first region of data corresponding to a first time, and a second region of data corresponding to a second time, during which the first and second triggers are transmitted, respectively), for the purpose of improving reliability by sending redundant triggers (col. 7, l. 60 – col. 8, l. 15).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the system of Zdepski to include inserting a plurality of interactive content

codes in different regions of the video broadcast signal, as taught by Blackketter, for the purpose of

improving reliability by sending redundant triggers in a method for providing interactive television

content.

With regard to claim 18, Zdepski discloses inserting a reference (trigger) in a region (vertical

blanking interval, col. 5, ll. 1-5) of the video stream that is preserved by the broadcast facility (where

trigger extraction unit 56 extracts information in the VBI for use prior to potentially corrupting equipment

such as compression unit 56, hence the VBI is a region that is preserved by the broadcasting facility).

Zdepski fails to disclose the reference (trigger) is a uniform resource locator.

In an analogous art, Blackketter discloses the reference (trigger) is a uniform resource locator

(uniform resource identifier, col. 8, ll. 5-15 and col. 1, ll. 18-26), for the purpose of enabling the retrieval

of Internet content such that the viewing experience may be enhanced (col. 8, ll. 5-15 and col. 1, ll. 26-

30).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the system of Zdepski to include the reference is a universal resource

locator, as taught by Blackketter, for the purpose of enabling the retrieval of Internet content such that the

viewing experience may be enhanced in a system for providing interactive television content.

With regard to claim 23, Zdepski discloses the data insertion unit inserts an interactive content

(interactive program) corresponding to the interactive content code (trigger) (col. 4, ll. 47-50). Zdepski

fails to disclose the interactive content code comprises a universal resource locator.

In an analogous art, Blackketter discloses the reference (trigger) is a uniform resource locator (uniform resource identifier, col. 8, ll. 5-15 and col. 1, ll. 18-26), for the purpose of enabling the retrieval of Internet content such that the viewing experience may be enhanced (col. 8, ll. 5-15 and col. 1, ll. 26-30).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Zdepski to include the reference is a universal resource locator, as taught by Blackketter, for the purpose of enabling the retrieval of Internet content such that the viewing experience may be enhanced in a system for providing interactive television content.

7.   Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zdepski in view of Ciciora.

With regard to claim 16, Zdepski discloses the method of claim 14. However, Zdepski fails to explicitly disclose at least one of the regions is preserved by at least one local subsystem.

In an analogous art, Ciciora discloses the use of SCTE standards for preserving closed captioning data fields for carriage of data embedded in the VBI to the set-top terminal (i.e., the transmission having interfaced with at least one local subsystem), for the purpose of satisfying FCC regulations (pg. 101, §3.3.5).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Zdepski to include at least one of the regions is preserved by at least one local subsystem, as taught by Ciciora, for the purpose of satisfying FCC regulations in a method for providing interactive television content.

8.   Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zdepski in view of

Blackketter (Blackketter et al., US006415438B1) and Ciciora.

With regard to claim 25, Zdepski discloses a method of ensuring reliable delivery of interactive

content (col. 3, ll. 49-51) comprising: inserting an interactive content code (trigger, col. 4, ll. 51-58) in the

vertical blanking interval (col. 5, ll. 1-5) of a video stream (col. 4, ll. 7-10) to be broadcast to a plurality of

local subsystems (such as satellites, local headends, distribution nodes, etc, encountered prior to the video

stream being delivered to end users, col. 4, ll. 34-37), wherein the interactive content code corresponds to

an interactive content to be inserted into the video stream (col. 4, ll. 47-50). Zdepski fails to explicitly

disclose a plurality of interactive content codes inserted into different regions of data, and each region of

data is preserved by at least one local subsystem.

In an analogous art, Blackketter discloses a plurality of interactive codes (first trigger and second

trigger) inserted into different regions of data (i.e., a first region of data corresponding to a first time, and

a second region of data corresponding to a second time, during which the first and second triggers are

transmitted, respectively), for the purpose of improving reliability by sending redundant triggers (col. 7, l.

60 – col. 8, l. 15).

Additionally, In an analogous art, Ciciora discloses the use of SCTE standards for preserving

closed captioning data fields for carriage of data embedded in the VBI to the set-top terminal (i.e., the

transmission having interfaced with at least one local subsystem), for the purpose of satisfying FCC

regulations (pg. 101, §3.3.5).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the system of Zdepski to include a plurality of interactive content codes

inserted into different regions of data, and each region of data is preserved by at least one local

subsystem, as taught by Blackketter and Ciciora, for the purpose of improving reliability by sending

redundant triggers and satisfying FCC regulations in a method of ensuring reliable delivery of interactive content.

9.   Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zdepski in view of Kaiser (Kaiser et al., US006615408B1) and Ciciora.

With regard to claim 26, Zdepski discloses a method of ensuring reliable delivery of interactive content (col. 3, ll. 49-51) comprising: inserting an interactive content code (trigger, col. 4, ll. 51-58) into a vertical blanking region of a video stream (col. 5, ll. 1-5), wherein the interactive content code corresponds to an interactive content to be inserted into the video stream (col. 4, ll. 47-50). Zdepski fails to explicitly disclose the interactive content code is inserted in a closed caption region, and the closed caption region is preserved by at least one local subsystem.

In an analogous art, Kaiser discloses an interactive content code (trigger) inserted in a closed caption region (VBI line 21, col. 6, ll. 65-67), for the purpose of enabling the insertion of triggers using conventional closed-captioning equipment (col. 7, ll. 1-4). Kaiser fails to explicitly disclose the closed caption region is preserved by at least one local subsystem.

Additionally, Ciciora discloses the use of SCTE standards for preserving closed captioning data fields for carriage of data embedded in the VBI to the set-top terminal (i.e., the transmission having interfaced with at least one local subsystem), for the purpose of satisfying FCC regulations (pg. 101, §3.3.5)

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system Zdepski to include the interactive content code is inserted in a closed caption region, as taught by Kaiser, and the closed caption region is preserved by at least one local subsystem, as taught by Ciciora, for the purpose of enabling the insertion of triggers using conventional

closed-captioning equipment and satisfying FCC regulations in a method for ensuring reliable delivery of

interactive content.

<div align="center">*Conclusion*</div>

10.   The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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on _____.
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Typed or printed name of person signing this certificate:

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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703)_____ - _____ on _____.
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Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.
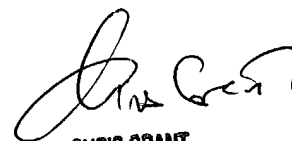
Any inquiry concerning this communication or earlier communications from the examiner should

be directed to Christopher M. Lambrecht whose telephone number is (703) 305-8710. The examiner can

normally be reached on 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Christopher Grant can be reached on (703) 305-4755. The fax phone number for the organization where

this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be obtained

from either Private PAIR or Public PAIR. Status information for unpublished applications is available

through Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Christopher M. Lambrecht
Examiner
Art Unit 2611

CML

CHRIS GRANT
PRIMARY EXAMINER